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**From:** Pham, Lisa [Pham.Lisa@epa.gov]  
**Sent:** 2/11/2021 7:33:40 PM  
**To:** Corey Shircliff [Corey.Shircliff@la.gov]  
**CC:** Stephen Lee [Stephen.Lee@la.gov]; Laura Sorey [Laura.Sorey@LA.GOV]; Johnson, Ken-E [Johnson.Ken-E@epa.gov]; Kelly, Suzanne [Kelly.Suzanne@epa.gov]; Newman, Sharon [Newman.Sharon@epa.gov]; Przyborski, Jay [Przyborski.Jay@epa.gov]  
**Subject:** EPA Review on LDNR draft MOA Addendum  
**Attachments:** DRAFT MOA Addendum\_EPA review 2021.02.11.docx

Good afternoon Corey,

We've completed our review of your draft MOA Addendum (please see attached).

If you have any question, please don't hesitate to let us know.

Thank you.

Lisa Pham  
Environmental Engineer  
U.S. EPA Region 6  
1207 Elm Street  
Dallas, Texas 75207

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**From:** Pham, Lisa  
**Sent:** Wednesday, February 03, 2021 8:41 PM  
**To:** Corey Shircliff <Corey.Shircliff@la.gov>  
**Cc:** Stephen Lee <Stephen.Lee@la.gov>; Laura Sorey <Laura.Sorey@LA.GOV>; Johnson, Ken-E <Johnson.Ken-E@epa.gov>; Kelly, Suzanne <Kelly.Suzanne@epa.gov>; Newman, Sharon <Newman.Sharon@epa.gov>; Przyborski, Jay <Przyborski.Jay@epa.gov>  
**Subject:** EPA Comment on LDNR Final Rule

Hi Corey,

We've completed our review of your Final Rule and here is our comment.

There is a difference between the draft we reviewed in October 2020 and the final rule is that LDNR renumbered Section 629 (Reporting). This renumbering, sadly, introduced these two citation errors:

1. §629.B (Page 76 of final rule document; shown below) lists "§629.A.2." It should be "§629.A.4."  
~~regulations for longer than 10 years after site closure.~~  
B. Recordkeeping. Owners or operators of Class VI wells shall retain records as specified in §§615.C.4, 629.A.2, 631.A.5, 633.A.6, and 633.A.8.

Background: The Federal CFR does not have a federal equivalent for §629.B. LDNR opted to include §629.B. to "Refer readers to the retention of records related to AOR modeling inputs and data used to support area of review reevaluations (under §615.C.4); reporting recordkeeping requirements (under §629.A.4); well closure requirements (under §631.A.5); site closure requirements (under §633.A.6); and any records gathered during the post-injection site care period for at least 10 years following site closure (under §633.A.8)."

The current citation (§629.A.2) takes readers to the advance notice requirement for well workovers and formation testing when it should refer readers to the 5 types of records required to be retained under “§629.A.4”

2. §625.A.8. (Page 75 of the final rule; shown below) lists “629 A.1.v”

c. If an owner or operator demonstrates that monitoring employed under 40 CFR 98.440 to 98.449 accomplishes the goals of §§625.A.8.a. and b., and meets the requirements pursuant to §629.A.1.v, a regulatory agency that requires surface air/soil gas monitoring must approve the use of monitoring employed under 40 CFR 98.440 to 98.449. Compliance with 40 CFR 98.440 to 98.449 pursuant to this provision is considered a condition of the Class VI permit;

The correct citation is “§629A.1.c.v” not “§629.A.1.v.” There is no corresponding citation in the final rule for §629.A.1.v”. §625.A.8. does have an equivalent Federal CFR (line item 646 of the crosswalk).

If you have any questions, please let us know.

Also, we will provide our comments on your draft MOA and Program Description shortly.

Regards,

Lisa Pham  
Environmental Engineer  
U.S. EPA Region 6  
1207 Elm Street  
Dallas, Texas 75270